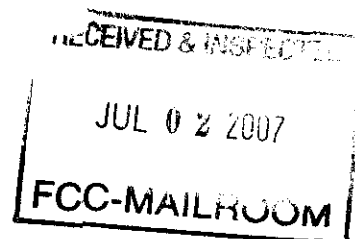


ORIGINAL

**CM CINNAMON  
MUELLER**

A Professional Limited Liability Company  
307 North Michigan Avenue, Suite 1020  
Chicago, Illinois 60601  
Telephone: 312-372-3930  
Facsimile: 312-372-3939



June 29, 2007

Marlene Dortch  
Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

*via FedEx*

**Re: CS Docket No. 97-80, CSR-7109-Z;  
In the Matter of NPG Cable, Inc. ("NPG");  
Request for Deferral of Enforcement of 47 C.F.R. § 76.1204(a)(1)**

Dear Ms. Dortch:

On December 14, 2006, NPG filed a Request for Waiver and Request for Clarification of 47 C.F.R. § 76.1204(a)(1), which has been assigned to CSR-7109-Z in CS Docket No. 97-80. Because the Commission has not yet issued an order on NPG's Request for Waiver and Request for Clarification, the company must request a deferral of enforcement of the deadline in 47 C.F.R. § 76.1204(a)(1).

We enclose an original and four copies of the Request for Deferral. We also enclose a copy of this letter and a copy of the first page of the Request for Deferral. Please date-stamp each page and return in to the enclosed postage-paid FedEx envelope so that we may have it for our records. Please contact me if you have any questions regarding this matter.

Sincerely,

Megan M. Petrulis

cc (via email): Michelle Carey  
John Norton  
Brendan Murray  
Andrew Long  
Monica Desai  
Bill Severn

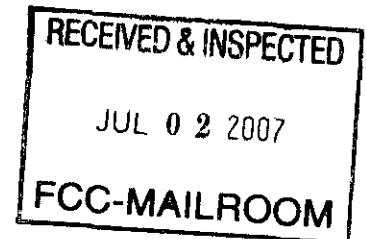
No. of Copies rec'd 0+4  
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# CM CINNAMON MUELLER

A Professional Limited Liability Company  
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Chicago, Illinois 60601  
Telephone: 312-372-3930  
Facsimile: 312-372-3939

June 29, 2007

Marlene Dortch  
Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743



**Re: NPG Cable, Inc. ("NPG"); Request for Deferral of Enforcement of July 1, 2007 deadline in 47 C.F.R. § 76.1204(a)(1); CSR-7109-Z, CS Docket 97-80.**

Dear Ms. Dortch:

NPG Cable, Inc. ("NPG") requests that the Commission defer enforcement of the July 1, 2007 deadline in 47 C.F.R. § 76.1204(a)(1) ("Integration Ban") until NPG receives the CableCARD-compatible set-top boxes that it has ordered from the National Cable Television Cooperative or its previously filed *Request for Waiver* is granted. The affidavit of Bill Severn, General Manager of NPG, is attached in support of this request.

We organize this request as follows:

- Background
- Request for Deferral
- Conclusion

**Background.** NPG provides cable services to about 100,000 basic subscribers in lower-density and rural markets in Arizona, California and Missouri. The company is in the midst of a major system consolidation and upgrade program to increase its digital penetration. The company currently offers digital simulcasts off of its Kingman, Arizona, Sedona, Arizona and St Joseph, Missouri headends. In carrying out its plans, NPG has spent millions of dollars to upgrade cable plant and consolidate small, older-technology headends with its Kingman, Arizona headend.

On December 14, 2006, NPG filed a request for a limited waiver of the Integration Ban.<sup>1</sup> The request was put on public notice on February 12, 2007, and the comment cycle is complete. The Commission has not yet issued an order.

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<sup>1</sup> *In the Matter of NPG Cable, Inc. Request for Waiver of 47 C.F.R. § 76.1204(a)(1), CSR 7-7109-Z, filed December 14, 2006.*

On May 11, 2007, NPG filed a Request for Clarification noting that delays in the delivery of the digital headend equipment had delayed deployment of approximately 2300 DCT-700 series set-top boxes and 700 DCT-3416 series set-top boxes.<sup>2</sup> NPG requested guidance from the Commission on whether it should also file a request for deferral of enforcement of the Integration Ban as provided for in the Commission's *BendBroadband MO&O*<sup>3</sup> so that NPG could deploy the DCT-700s and DCT-3416s that it already has in inventory after July 1, 2007. The Commission has not yet informed NPG whether a deferral is necessary.

Accordingly, NPG files this deferral request. NPG, in light of the absence of a ruling on its *Waiver Request*, has placed orders for approximately 3100 DCH-100s and 200s and 500 DCH-6200s ("Compliant Set-Top Boxes").<sup>4</sup> Unfortunately, the estimated delivery of the boxes is mid-September to mid-October, 2007.<sup>5</sup> Because of this delay, NPG will not have the Compliant Set-top Boxes to meet the accelerated demand for its digital service now that it has fully deployed the delayed digital headend.

This strong consumer demand for NPG's digital services has led to a current deployment rate of approximately 300 new DCT-700s per week. NPG has about 825 new DCT-700s and 250 new DCT-3416s remaining in inventory due to the delays in the delivery of the digital headend equipment.<sup>6</sup> Given the current deployment rate, NPG may need an additional 3600 Motorola DCT-700s and 500 DCT-3416s to meet the pent-up demand for NPG's digital services while it awaits delivery of the Compliant Set-Top Boxes.<sup>7</sup>

NPG estimates that the Compliant Set-Top Boxes that it has ordered will be adequate to meet NPG's digital set-top box deployment needs for at least eight weeks after receipt.<sup>8</sup> Additional Compliant Boxes will be ordered thereafter to meet its needs, if necessary, depending on the result of the *Waiver Request*. In the meantime, with a deferral, NPG can ensure that consumers wanting digital services in the near term can receive them by continuing to deploy the Motorola boxes on hand and, if required, acquiring used boxes.

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<sup>2</sup> *In the Matter of NPG Cable, Inc. Request for Clarification*, CSR 7-7109-Z, filed December 14, 2006.

<sup>3</sup> *In the Matter of Bend Cable Communications, LLC, d/b/a BendBroadband, Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules*, CSR-7057-Z, CS Docket No. 97-80, *Memorandum Opinion and Order*, ¶ 10 (rel. January 10, 2007).

<sup>4</sup> We attach the Purchase Orders as Exhibit 1 and Correspondence as Exhibit 3.

<sup>5</sup> Affidavit of Bill Severn, ¶ 7 ("*Severn Affidavit*"), attached as Exhibit 2.

<sup>6</sup> *Severn Affidavit*, ¶ 3.

<sup>7</sup> *Severn Affidavit*, ¶ 8.

<sup>8</sup> *Severn Affidavit*, ¶ 5.

**Request for Deferral.** For the reasons above, NPG requests deferral of enforcement of the Integration Ban as provided for in the Commission's *GCI MO&O*,<sup>9</sup> so that NPG may continue to deploy the DCT-700s and DCT-3416s that it has on hand and order and deploy DCT-700s and DCT-3416s until it receives the Compliant Set-Top Boxes or its *Waiver Request* is granted.

If granted a deferral of enforcement of 47 C.F.R. § 76.1204(a)(1), NPG will order and deploy only enough Motorola DCT-700s and DCT-3416s to meet its anticipated needs until NPG receives the Compliant Set-Top Boxes or its *Request* is granted.<sup>10</sup>

**Conclusion.** Grant of the requested deferral is in the public interest – the deferral will allow NPG to continue to deploy entry-level digital services while it awaits delivery of the Compliant Set-Top Boxes. Absent the deferral, new or upgrading subscribers will be unable to receive digital services. In addition, NPG will suffer economic waste associated with the DCT-700 boxes and DCT-3416 boxes it has in stock which would otherwise be already deployed, except for the 5 month delay in the delivery of the Motorola headend equipment. Such a result is highly undesirable and directly contrary to the Commission's mandate to increase the availability of digital services to all Americans.<sup>11</sup> For the reasons set forth above, NPG respectfully requests a deferral of enforcement of 47 C.F.R. § 76.1204(a)(1) until it receives the Compliant Set-Top Boxes or its *Waiver Request* is granted.

---

<sup>9</sup> *In the Matter of GCI Cable, Inc., Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules, Memorandum Opinion and Order*, CSR-7130-Z, CS Docket No. 97-80 (rel. May 4, 2007).

<sup>10</sup> *Severn Affidavit*, ¶ 9.

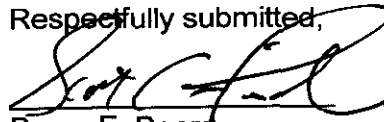
<sup>11</sup> See Pub.L. 104-104, Title VII, § 706, Feb. 8, 1996, 110 Stat. 153, as amended Pub.L. 107-110, § 1076(gg), Jan. 8, 2002, 115 Stat. 2093, reproduced in notes to 47 U.S.C. § 153(a):

The Commission...shall encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans...

...

The term 'advanced telecommunications capability' is defined, without regard to any transmission media or technology, as high-speed...broadband telecommunications capability....

Respectfully submitted,



Bruce E. Beard  
Scott C. Friedman

Cinnamon Mueller  
307 N. Michigan Avenue, Suite 1020  
Chicago, Illinois 60601  
(312) 372-3930 (voice)  
(312) 372-3939 (fax)

Attorneys for NPG Cable, Inc.

June 29, 2007

**CINNAMON MUELLER**

***Exhibit 1***

**Purchase Orders**

# Purchase Order

Cablevision of Sedona

**Ship To:**

Larry Douglas  
NPG Cable Inc. - Sedona Misc.  
Cablevision of Sedona  
65 Coffee Pot Drive  
Sedona, AZ 86336

Phone: 928-282-3096  
Fax: 928-282-6336  
Email: ldouglas@npgco.com

**Bill to:**

Larry Douglas  
Cablevision of Sedona  
65 Coffee Pot Drive  
Sedona, AZ 86336

Phone: 928-282-3096  
Fax: 928-282-6336

**Vendor info:**

**Contact** Anthony Dart ext. 1539

**Phone:** 800-888-6282

**Fax:** 866 628 2473

**Email:** adart@cabletvcoop.org

**Account:**

**Deliver By:**

**Comments:**

Delivery Schedule = ( DCH6200 50  
units Oct., 50 units Nov. ) ( DCH200  
100 units Oct., 100 units Nov., 100  
units Dec. ) ( DCH100 50 Units  
Sept., 50 units Oct., 50 Units Nov.,  
50 Units Dec. ) L.D.

**Terms:** 30 days - Send  
invoice after Delivery  
Date

**Summary:**

P.O. Number: 12103

Date: 6/28/07

approved

Vendor: NCTC - COOP

Ship Via: Unspecified

Item No.	MFG No.	Description	Qty	UOM	Cost	Ext.
DCH6200		DCH6200, HD, Analog / Digital	100	Ea.	305 0000	30,500.00
DCH200		DCH200 Standard Def. Analog / Digital	300	Ea.	185 0000	55,500.00
DCH100		DCH100, Standard Def, All Digital	200	Ea.	159 0000	31,800.00

VENDOR - DO NOT PROCESS PO IF COST SUBMITTED IS INACCURATE

✓ Total: 117,800.00  
MULTIPLES OF 3QTY

-51  
-51



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147926

6/28/2007

### Customer

NPG CABLE, INC. OF SEDONA  
KAREN POSTER  
65 COFFEE POT DR  
STE A  
SEDONA AZ 86336  
Tel: (928)-282-3096  
Fax: (928)-282-6336

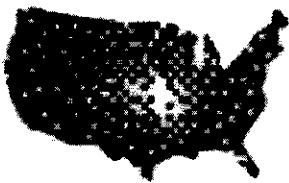
### Contact

NPG CABLE, INC. OF SEDONA  
RICHARD LAHBERT  
65 COFFEE POT DR  
STE A  
SEDONA AZ 86336  
UNITED STATES  
Tel: (928)-282-3096  
Fax: (928)-282-6336

### Ship To

NPG CABLE, INC. OF SEDONA  
WAYNE BEIKMAN  
65 COFFEE POT DR  
STE E  
SEDONA AZ 86336  
UNITED STATES  
Tel: (928)-779-3661  
Fax: (928)-779-6486

Account	Terms	Due Date	Account Rep	Schedule Date
SED010	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	6/28/2007
Quotation	PO #	Reference	Ship VIA	Page Printed
SQ-147926	12103-SEPT		Drop Ship	1 6/28/2007 17:13:13 PM
L Item / Model / Brand Description	Qty	Price	Discount	Amount
1 50102 / 53734*-001-00-MOTO / MOTOROLA BCS DCH100 *M-Card Pre-Installed* 32 MB #1	50	\$209.00000	UM	\$10,450.00
2 761 / NOTES-MOTO / MOTOROLA BCS IMPORTANT INFO: SEPTEMBER	1	50.00	EA	\$0.00
			EA	
Please note that all vendors' pricing is subject to change without notice.				
Taxable				\$10,450.00
Total Tax				\$898.70
Exempt				\$0.00
Total				\$11,348.70
Balance				\$11,348.70



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147927

6/28/2007

Customer	Contact	Ship To
NPG CABLE, INC. OF SEDONA FAREN FOSTER 65 COFFEE POT DR STE A SEDONA AZ 86336 Tel: (928)-282-3096 Fax: (928)-282-6336	NPG CABLE, INC. OF SEDONA RICHARD LAMBERT 65 COFFEE POT DR STE A SEDONA AZ 86336 UNITED STATES Tel: (928)-282-3096 Fax: (928)-282-6336	NPG CABLE, INC. OF SEDONA WAYNE BEIKMAN 65 COFFEE POT DR STE E SEDONA AZ 86339 UNITED STATES Tel: (928)-779-3661 Fax: (928)-779-0486

Account	Terms	Due Date	Account Rep	Schedule Date
SED010	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	10/1/2007
Quotation	PO #	Reference	Ship VIA	Page Printed
SQ-147927	12103-001		Drop Ship	1 6/28/2007 10:17:23PM
L Item / Model / Brand Description	Qty	Price	Discount UM %	Amount
1 50096 / 537117-001-00-MOTO / MOTOROLA BCS DCH6200 *M-Card Pre-Installed* 32 MB Fla	51	\$351.00000	EA	\$18,105.00
2 50100 / 537343-001-00-MOTO / MOTOROLA BCS DCH200 *M-Card Pre-Installed* 32 MB	100	\$235.00000	EA	\$23,500.00
3 50102 / 537347-001-00-MOTO / MOTOROLA BCS DCH100 *M-Card Pre-Installed* 32 MB FL	50	\$209.00000	EA	\$10,450.00
4 761 / NOTES-Moto / MOTOROLA BCS IMPORTANT INFO: OCTOBER	1	\$0.00	EA	\$0.00

Please note that all vendors' pricing is subject to change without notice.

Taxable	\$52,055.00
Total Tax	\$4,476.73
Exempt	\$0.00
Total	\$56,531.73
Balance	\$56,531.73



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147928

6/28/2007

### Customer

NPG CABLE, INC. OF SEDONA  
KAREN FOSTER  
65 COFFEE POT DR  
STE A  
SEDONA AZ 86336  
Tel: (928)-282-3096  
Fax: (928)-282-6336

### Contact

NPG CABLE, INC. OF SEDONA  
RICHARD LAMBERT  
65 COFFEE POT DR  
STE A  
SEDONA AZ 86336  
UNITED STATES  
Tel: (928)-282-3096  
Fax: (928)-282-6336

### Ship To

NPG CABLE, INC. OF SEDONA  
WAYNE BEITMAN  
65 COFFEE POT DR  
STE A  
SEDONA AZ 86336  
UNITED STATES  
Tel: (928)-282-3096  
Fax: (928)-282-6336

Account	Terms	Due Date	Account Rep	Schedule Date
SED010	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	11/1/2007
Quotation	PO #	Reference	Ship VIA	Page Printed
SQ-147928	<u>12103-NOV</u>		Drop Ship	1 6/28/2007 12:11:17 PM
L Item / Model / Brand Description	Qty	PriceDiscount UM %	Amount	
1 50096 / 537117-001-00-MOTO / MOTOROLA BCS DCH6200 *M-Card Pre-Installed* 32 MB Fla	51	\$355.00000 EA	\$18,105.00	
2 50100 / 537343-001-00-MOTO / MOTOROLA BCS DCH200 *M-Card Pre-Installed* 32 MB	100	\$235.00000 EA	\$23,500.00	
3 50102 / 537347-001-00-MOTO / MOTOROLA BCS DCH100 *M-Card Pre-Installed* 32 MB FL	50	\$209.00000 EA	\$10,450.00	
4 761 / NOTES-MOTO / MOTOROLA BCS IMPORTANT INFO: NOVEMBER	1	\$0.00 EA	\$0.00	

Please note that all vendors' pricing is subject to change without notice.

Taxable \$52,055.00

Total Tax \$4,476.73

Exempt \$0.00

Total \$56,531.73

Balance \$56,531.73



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147930

6/28/2007

### Customer

NPG CABLE, INC. OF SEDONA  
KAREN FOSTER  
65 COFFEE POT DR  
STE A  
SEDONA AZ 86336  
Tel: (928)-282-3096  
Fax: (928)-282-6336

### Contact

NPG CABLE, INC. OF SEDONA  
RICHARD LAMBERT  
65 COFFEE POT DR  
STE A  
SEDONA AZ 86336  
UNITED STATES  
Tel: (928)-282-3096  
Fax: (928)-282-6336

### Ship To

NPG CABLE, INC. OF SEDONA  
WAYNE REIFMAN  
65 COFFEE POT DR  
STE E  
SEDONA AZ 86339  
UNITED STATES  
Tel: (928)-779-3661  
Fax: (928)-774-0486

Account	Terms	Due Date	Account Rep	Schedule Date
SED010	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	12/3/2007
Quotation	PO #	Reference	Ship VIA	Page Printed
SQ-147930	12103-DEP		Drop Ship	1 6/28/2007 12:17 PM
L Item / Model / Brand Description	Qty	Price	Discount	Amount
1 50100 / 537343-001-00-MOTO / MOTOROLA RCS DCH200 *M-Card Pre-Installed* 32 MB	100	\$235.00000	EA	\$23,500.00
2 50102 / 537347-001-00-MOTO / MOTOROLA RCS DCH100 *M-Card Pre-Installed* 32 MB Fl	50	\$209.00000	EA	\$10,450.00
3 761 / NOTES-MOTO / MOTOROLA RCS IMPORTANT INFO: DECEMBER	1	\$0.00	EA	\$0.00

Please note that all vendors' pricing is subject to change without notice.

**Taxable** \$33,950.00

**Total Tax** \$2,919.70

**Exempt** \$0.00

**Total** \$36,869.70

**Balance** \$36,869.70

# Purchase Order

**Kingman Misc.**

**Ship To:**

Larry Douglas  
NPG Cable Inc. - Kingman Misc.  
2900 Airway

Kingman, AZ 86401

Phone: 928-757-8079

Fax: 928-757-5905

Email: ldouglas@npgco.com

**Bill to:**

Larry Douglas  
Kingman Misc.  
2900 Airway

Kingman, AZ 86401

Phone: 928-757-8079

Fax:

**Vendor Info:**

**Contact** Anthony Dart ext. 1539

**Phone:** 800-888-6282

**Fax:** 866.628.2473

**Email:** adart@cabletvcoop.org

**Account:**

**Deliver By:**

**Comments:**

Delivery Schedule = ( DCH6200 100 units Oct., 100 units Nov. 100 units Dec. ) ( DCH100 150 units Sept., 150 units Oct., 150 units Nov., 150 units Dec. ) L.D.

**Terms:** 30 days - Send invoice after Delivery Date

**Summary:**

approved

P.O. Number: 12107

Vendor: NCTC - COOP

Date: 6/28/07

Ship Via: Unspecified

Item No.	MFG No.	Description	Qty	UOM	Cost	Ext
DCH6200		DCH6200, HD, Analog / Digital	300	Ea.	305.0000	91,500.00
DCH100		DCH100, Standard Def, All Digital	600	Ea.	159.0000	95,400.00

VENDOR - DO NOT PROCESS PO IF COST SUBMITTED IS INACCURATE

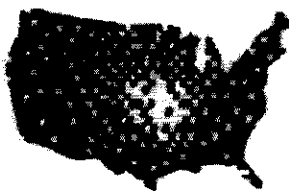
Total: 186,900.00

↓  
MULTIPLES OF 300

- 102

- 99

- 99



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147932

6/28/2007

Customer	Contact	Ship To
NPG CABLE, INC. OF KINGMAN DIANNA BROWN 2900 AIRWAY AVE KINGMAN AZ 86409 Tel: (928)-757-4060 Fax: (928)-757-5905	NPG CABLE, INC. OF KINGMAN MELISSA ANHALT 2900 AIRWAY AVE KINGMAN AZ 86409 UNITED STATES Tel: (928)-757-4060 Fax: (928)-757-5905	NPG CABLE, INC. OF KINGMAN JANINE ARVIZO 2900 AIRWAY AVE KINGMAN AZ 86409 UNITED STATES Tel: (928)-757-5328 Fax: (928)-757-5905

Account	Terms	Due Date	Account Rep	Schedule Date
KIN020	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	9/3/2007
Quotation	PO #	Reference	Ship VIA	Page Printed
SQ-147932	12107-SEPT		Drop Ship	1 6/28/2007 12:12:28PM
L Item / Model / Brand Description	Qty	Price	Discount	Amount
1 59102 / 537347-001-00-MOTO / MOTOROLA DCS DCH100 'M-Card Pre-Installed' 32 MB FL	150	2,094.00000	EA	\$31,350.00
2 761 / NOTES-MOTO / MOTOROLA DCS	1	10.00	EA	\$0.00
IMPORTANT INFO: SEPTEMBER				

Please note that all vendors' pricing is subject to change without notice.

Taxable 31,350.00

Total Tax 32,382.60  
Exempt 90.00  
Total 33,732.60

Balance 33,732.60



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147933

6/28/2007

### Customer

NPG CABLE, INC. OF KINGMAN  
DIANNA BROWN  
2900 AIRWAY AVE  
KINGMAN AZ 86409  
Tel: (928)-757-4060  
Fax: (928)-757-5905

### Contact

NPG CABLE, INC. OF KINGMAN  
MARLOSA ANHALT  
2900 AIRWAY AVE  
KINGMAN AZ 86409  
UNITED STATES  
Tel: (928)-757-4060  
Fax: (928)-757-5905

### Ship To

NPG CABLE, INC. OF KINGMAN  
JANINE ARVIZU  
2900 AIRWAY AVE  
KINGMAN AZ 86409  
UNITED STATES  
Tel: (928)-757-5328  
Fax: (928)-757-5905

Account	Terms	Due Date	Account Rep	Schedule Date
KIN020	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	10/1/2007
Quotation	PO #	Reference	Ship VIA	Page Printed
SQ-147933	<u>12107-DCT</u>		Drop Ship	1 6/28/2007 12:17:27PM
L Item / Model / Brand Description	Qty	PriceDiscount UM	Amount	
1. 50096 / 537117-001-00-MOTO / MOTOROLA BCS DCH6200 *M-Card Pre-Installed* 32 MB Fla	102	\$355.00000 EA	\$36,210.00	
2. 50102 / 537347-001-00-MOTO / MOTOROLA BCS DCH100 *M-Card Pre-Installed* 32 MB Fl	100	\$209.00000 EA	\$20,900.00	
3. 761 / NOTES-MOTO / MOTOROLA BCS IMPORTANT INFO: OCTOBER	1	\$0.00 EA	\$0.00	

Please note that all vendors' pricing is subject to change without notice.

Taxable \$67,560.00

Total Tax \$5,134.56

Exempt \$0.00

Total \$72,694.56

Balance \$72,694.56



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147934

6/28/2007

### Customer

NPC CABLE, INC. OF KINGMAN  
DIANNA BROWN  
2900 AIRWAY AVE  
KINGMAN AZ 86409  
Tel: (928)-757-4060  
Fax: (928)-757-5905

### Contact

NPC CABLE, INC. OF KINGMAN  
MELISSA ANHALT  
2900 AIRWAY AVE  
KINGMAN AZ 86409  
UNITED STATES  
Tel: (928)-757-4060  
Fax: (928)-757-5905

### Ship To

NPC CABLE, INC. OF KINGMAN  
JANINE ARVIZU  
2900 AIRWAY AVE  
KINGMAN AZ 86409  
UNITED STATES  
Tel: (928)-757-5328  
Fax: (928)-757-5905

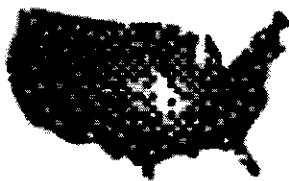
Account	Terms	Due Date	Account Rep	Schedule Date
KIN020	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	11/1/2007
Quotation	PO #	Reference	Ship VIA	Page Printed
SQ-147934	12107-NOV		Drop Ship	1 6/28/2007 10:17:27AM
L Item / Model / Brand Description	Qty	Price	Discount	Amount
1 50096 / 537117-001-00-MOTO / MOTOROLA BCS DCH6200 *M-Card Pre-Installed* 32 MB Fla	100	\$355.00000	EA	\$35,145.60
2 50102 / 537347-001-00-MOTO / MOTOROLA BCS DCH100 *M-Card Pre-Installed* 32 MB Fl	150	\$209.00000	EA	\$31,350.00
3 761 / NOTES-MOTO / MOTOROLA BCS IMPORTANT INFO: NOVEMBER	1	\$0.00	EA	\$0.00

Please note that all vendors' pricing is subject to change without notice.

Taxable \$66,495.60

Total Tax \$5,053.62  
Exempt \$0.00  
Total \$71,548.62

Balance \$71,548.62



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147935

6/28/2007

Customer	Contact	Ship To
NPG CABLE, INC. OF KINGMAN DIANNA BROWN 2900 AIRWAY AVE KINGMAN AZ 86409 Tel: (928)-757-4060 Fax: (928)-757-5905	NPG CABLE, INC. OF KINGMAN MELISSA ANHALT 2900 AIRWAY AVE KINGMAN AZ 86409 UNITED STATES Tel: (928)-757-4060 Fax: (928)-757-5905	NPG CABLE, INC. OF KINGMAN JANINE ARVIZO 2900 AIRWAY AVE KINGMAN AZ 86409 UNITED STATES Tel: (928)-757-4060 Fax: (928)-757-5905

Account	Terms	Due Date	Account Rep	Schedule Date
KIN020	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	12/3/2007

Quotation	PO #	Reference	Ship VIA	Page	Printed
SQ-147935	12107-DEC		Drop Ship	1	6/28/2007 12:17:57PM

L	Item / Model / Brand Description	Qty	Price	Discount	Amount
1	50096 / 537117-001-00-MOTO / MOTOROLA BCS DCH6200 *M-Card Pre-Installed* 32 MB FL	150	\$355.00000	EA	\$53,250.00
2	50102 / 537147-001-00-MOTO / MOTOROLA BCS DCH100 *M-Card Pre-Installed* 32 MB FL		\$209.00000	EA	\$31,350.00
3	761 / NOTES-MOTO / MOTOROLA BCS IMPORTANT INFO: DECEMBER		\$0.00	EA	\$0.00

Please note that all vendors' pricing is subject to change without notice.

Taxable	\$66,498.00
Total Tax	\$5,953.62
Exempt	\$0.00
Total	\$71,548.62
Balance	\$71,548.62

# Purchase Order

**St Joseph Cablevision**

**Ship To:**

Larry Douglas  
NPG Cable Inc. - St Joseph Misc.  
102 North Woodbine Road

**Bill to:**

Larry Douglas  
St Joseph Cablevision  
102 North Woodbine Road

St. Joseph Missouri, MO 64506

St. Joseph Missouri, MO 64506

Phone: 816-273-0250

Phone: 816-273-0250

Fax: 816-279-8773

Fax:

Email: ldouglas@npgco.com

**Vendor Info:**

**Contact:** Anthony Dart ext. 1539

**Phone:** 800-888-6282

**Fax:** 866.628.2473

**Email:** adart@cabletvcoop.org

**Account:**

**Deliver By:**

**Comments:**

Delivery Schedule = ( DCH6200 50  
units Sept., 50 units Oct., 50 units  
Nov. ) ( DCH100 300 units Sept.,  
300 units Oct., 300 units Nov., 300  
units Dec. ) L.D.

**Terms:** 30 days - Send  
invoice after Delivery  
Date

**Summary:**

**P.O. Number:** 12108

**Date:** 6/28/07

approved

**Vendor:** NCTC - COOP

**Ship Via:** Unspecified

Item No.	MFG No.	Description	Qty	UOM	Cost	Ext
DCH6200		DCH6200, HD, Analog / Digital	150	Ea.	305.0000	45,750.00
DCH100		DCH100, Standard Def, All Digital	1,200	Ea.	159.0000	190,800.00

VENDOR - DO NOT PROCESS PO IF COST SUBMITTED IS INACCURATE

Total: 236,550.00

MULTIPLES OF 3 QTY

- 51  
- 51  
- 48



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147936

6/28/2007

### Customer

NPG CABLE, INC  
TIM GOERLITZ  
102 N WOODBINE RD  
LOWER BUILDING (W)  
ST JOSEPH MO 64506  
Tel: (816)-273-0250  
Fax: (816)-273-0368

### Contact

NPG CABLE, INC  
TIM GOERLITZ  
102 N WOODBINE RD  
LOWER BUILDING (W)  
ST JOSEPH MO 64506  
UNITED STATES  
Tel: (816)-273-0250  
Fax: (816)-273-0368

### Ship To

NPG CABLE, INC  
TIM GOERLITZ  
102 N WOODBINE RL  
LOWER BUILDING (W)  
SAINT JOSEPH MO 64506  
UNITED STATES  
Tel: (816)-273-0250  
Fax: (816)-273-0368

Account	Terms	Due Date	Account Rep	Schedule Date
STJ010	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	9/3/2007
Quotation	PO #	Reference	Ship VIA	Page Printed
SQ-147936	12108-SEPT		Drop Ship	1 8/28/2007 12:00:00 PM
L Item / Model / Brand Description	Qty	Price	Discount	Amount
1 50096 / 537117-001-00-MOTO / MOTOROLA BCS DCH6200 *M-Card Pre-Installed* 32 MB FLA	51	\$355.00000	EA	\$18,105.00
2 50102 / 537347-001-00-MOTO / MOTOROLA BCS DCH100 *M-Card Pre-Installed* 32 MB FLA	300	\$209.00000	EA	\$62,700.00
3 761 / NOTES-MOTO / MOTOROLA BCS	1	\$0.00	EA	\$0.00
IMPORTANT INFO: SEPTEMBER			EA	

Please note that all vendors' prices is subject to change without notice.

Taxable	\$80,805.00
Total Tax	\$3,414.01
Exempt	\$0.00
Total	\$84,219.01
Balance	\$84,219.01



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147937

6/28/2007

### Customer

NPG CABLE, INC  
TIM GOERLITZ  
102 N WOODBINE RD  
LOWER BUILDING (W)  
ST JOSEPH MO 64506  
Tel: (816)-273-0250  
Fax: (816)-273-0368

### Contact

NPG CABLE, INC  
TIM GOERLITZ  
102 N WOODBINE RD  
LOWER BUILDING (W)  
ST JOSEPH MO 64506  
UNITED STATES  
Tel: (816)-273-0250  
Fax: (816)-273-0368

### Ship To

NPG CABLE, INC  
TIM GOERLITZ  
102 N WOODBINE RD  
LOWER BUILDING (W)  
SAINT JOSEPH MO 64506  
UNITED STATES  
Tel: (816)-273-0250  
Fax: (816)-273-0368

### Account

STJ010

### Terms

Due Upon Receipt

### Due Date

6/28/2007

### Account Rep

Jennifer Tyrrel

### Schedule Date

10/1/2007

### Quotation

SQ-147937

### PO #

12108-OCT

### Reference

### Ship VIA

Drop Ship

### Page Printed

1  
6/28/2007  
12:17:27PM

### L Item / Model / Brand

#### Description

### Qty

### PriceDiscount

UM %

### Amount

1. 53096 / 53711 / 001-00-MOTO / MOTOROLA BCS  
DCH6200 \*M-Card Pre-installed\* 32 MB Fl
  2. 50102 / 537347-001-00-MOTO / MOTOROLA BCS  
DCH100 \*M-Card Pre-installed\* 32 MB Fl
  3. 761 / NOTES-MOTO / MOTOROLA BCS
- IMPORTANT INFO: OCTOBER

51

\$155.00000

\$19,105.00

EA

\$209.00000

\$62,709.00

EA

\$0.00

\$0.00

EA

Please note that all vendor pricing is subject to change without notice.

### Taxable

\$60,805.00

### Total Tax

\$3,414.01

### Exempt

\$0.00

### Total

\$64,219.01

### Balance

\$64,219.01



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147938

6/28/2007

Customer	Contact	Ship To
NPG CABLE, INC TIM GOERLITZ 102 N WOODBINE RD LOWER BUILDING (W) ST JOSEPH MO 64506 Tel: (816)-273-0250 Fax: (816)-273-0368	NPG CABLE, INC TIM GOERLITZ 102 N WOODBINE RD LOWER BUILDING (W) ST JOSEPH MO 64506 UNITED STATES Tel: (816)-273-0250 Fax: (816)-273-0368	NPG CABLE, INC TIM GOERLITZ 102 N WOODBINE RD LOWER BUILDING (W) SAINT JOSEPH MO 64506 UNITED STATES Tel: (816)-273-0250 Fax: (816)-273-0368

Account	Terms	Due Date	Account Rep	Schedule Date
STJ010	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	11/1/2007
Quotation	PO #	Reference	Ship VIA	Page Printed
SQ-147938	12108-NOV		Drop Ship	1 6/28/2007 12:17:02 PM

L	Item / Model / Brand	Qty	Price	Discount	Amount
Description			UM	%	
1 50096 / 537117-001-00-MOTO / MOTOROLA BCS		15	5355.00000		\$17,940.00
DCH6200 *M-Card Pre-Installed* 32 MB Fla			EA		
2 50102 / 537347-001-00-MOTO / MOTOROLA BCS		300	529.90000		\$62,700.00
DCH100 *M-Card Pre-Installed* 32 MB Fl			EA		
3 761 / NOTES-MOTO / MOTOROLA BCS			\$0.00		\$0.00
IMPORTANT INFO: NOVEMBER			EA		

Please note that all vendors' pricing is subject to change without notice.

**Taxable** 179,740.00

**Total Tax** \$3,369.02  
**Exempt** \$0.00  
**Total** \$83,109.02

**Balance** \$83,109.02



# NATIONAL CABLE TELEVISION COOPERATIVE, INC.

11200 Corporate Ave., Lenexa KS 66219  
(913) 599-5900

## EMAIL ORDER

SQ-147939

6/28/2007

<b>Customer</b>		<b>Contact</b>	<b>Ship To</b>	
NPG CABLE, INC TIM GOERLITZ 102 N WOODBINE RD LOWER BUILDING (W) ST JOSEPH MO 64506 Tel: (816)-273-0250 Fax: (816)-273-0368		NPG CABLE, INC TIM GOERLITZ 102 N WOODBINE RD LOWER BUILDING (W) ST JOSEPH MO 64506 UNITED STATES Tel: (816)-273-0250 Fax: (816)-273-0368	NPG CABLE, INC TIM GOERLITZ 102 N WOODBINE RD LOWER BUILDING (W) SAINT JOSEPH MO 64506 UNITED STATES Tel: (816)-273-0250 Fax: (816)-273-0368	
<b>Account</b>	<b>Terms</b>	<b>Due Date</b>	<b>Account Rep</b>	<b>Schedule Date</b>
STJ010	Due Upon Receipt	6/28/2007	Jennifer Tyrrel	12/3/2007
<b>Quotation</b>	<b>PO #</b>	<b>Reference</b>	<b>Ship VIA</b>	<b>Page Printed</b>
SQ-147939	12103-DEC		Drop Ship	1 6/28/2007 11:17:27AM
<b>L Item / Model / Brand Description</b>	<b>Qty</b>	<b>Price</b>	<b>Discount</b>	<b>Amount</b>
1 50102 / 537347-001-00-MOTO / MOTOROLA BCS DCH100 *M-Card Pre-Installed* 32 MB F1	300	\$209.00000	EA	\$62,700.00
2 761 / NOTES-MOTO / MOTOROLA BCS IMPORTANT INFO: DECEMBER	1	\$0.00	EA	\$0.00

Please note that all vendors' pricing is subject to change without notice.

<b>Taxable</b>	\$62,700.00
<b>Total Tax</b>	\$2,649.08
<b>Exempt</b>	\$0.00
<b>Total</b>	\$65,349.08
<b>Balance</b>	\$65,349.08

**Exhibit 2**

**Affidavit of Bill Severn**

## EXHIBIT 2

### AFFIDAVIT OF BILL SEVERN

I, Bill Severn, make this affidavit based upon personal knowledge and a review of records, and can testify if necessary as to the truth of the matters asserted:

1. I am General Manager of NPG Cable, Inc. ("NPG").
2. NPG has filed with the Commission a *Request for Waiver of 47 C.F.R. § 76.1204(a)(1)* ("*Waiver Request*").
3. NPG has also filed a *Request for Clarification* ("*Clarification Request*"). As noted in the *Clarification Request*, because of a five month delay in the delivery of the digital headend equipment being deployed as part of NPG's upgrade, NPG has not been able to deploy all 2300 DCT 700, 700 DCT 3416, and 225 DCT 3080's set-top boxes that had been timely delivered based a scheduled January, 2007 delivery of the headend equipment. Currently NPG has 825 new DCT 700, 250 new DCT 3416, and 207 DCT 3080 set-top boxes in stock. NPG is aggressively pushing digital through system tie-ins to its Kingman, Arizona headend and the digital headend upgrades. NPG offers a digital simulcast on its St. Joseph, Missouri, Kingman, Arizona and Sedonia, Arizona systems which accelerated the deployment of the DCT 700 boxes.
4. If its *Request* is not granted, NPG will need to deploy digital set-top boxes with separable security to keep up with the rapid demand for digital service. Accordingly, NPG placed orders with the National Cable Television Cooperative for the following CableCARD-compatible set-top

boxes: 3100 DCH 100/200 and 500 DCH 6200 set-top boxes ("Compliant Set-Top Boxes"). The purchase orders and confirmations for the Compliant Set-Top Boxes are attached as Attachment 1 to this Affidavit.

5. Given NPG's current digital set-top box deployment rate of approximately 300 new DCT-700 and 25 new DCT 3416 set-top boxes per week with recent upgrades, NPG estimates that the Compliant Set-Top Boxes that it has ordered to date will be adequate to meet NPG's digital set-top box deployment needs for at least 8 weeks after receipt.
6. The National Cable Television Cooperative has informed NPG that Motorola will not deliver the Compliant Set-Top Boxes by July 1, 2007.
7. The National Cable Television Cooperative has told NPG that the Compliant Boxes will likely not be delivered before October, 2007.
8. Given its current rate of deployment of new digital set-top boxes and continuing upgrades, NPG will also need to order and deploy the equivalent of approximately 3600 Motorola DCT-700 and 500 DCT-3416 set-top boxes if NPG is to continue deploying entry-level digital services to new and upgraded subscribers while it awaits delivery of the Compliant Set-Top Boxes.
9. If granted a deferral of enforcement of 47 C.F.R. § 76.1204(a)(1), NPG will deploy the remaining DCT 700, DCT 3416 and DCT 3080 set-top boxes in stock and order and deploy only enough Motorola DCT-700 and DCT 3416 integrated set-top boxes to meet its needs until NPG receives the Compliant Set-Top Boxes or its *Waiver Request* is granted.

Bill Severn

Bill Severn

Chief Operating officer, NPG Cable, Inc

Subscribed and sworn to before me this 28 day of June, 2007.

Linda S. Riepl

Notary Public



**Exhibit 3**

**Correspondence**

**From:** L. Douglas [mailto:ldouglas@npgco.com]  
**Sent:** Thursday, June 28, 2007 2:51 PM  
**To:** 'jtyrrel@nctconline.org'  
**Cc:** 'Anthony Dart'  
**Subject:** FW: VERY IMPORTANT PURCHASE ORDERS - NPG CABLE INC.  
**Importance:** High

Jennifer: All is OK. Thanks!! Larry

**From:** Jennifer Tyrrel [mailto:jtyrrel@nctconline.org]  
**Sent:** Thursday, June 28, 2007 12:34 PM  
**To:** Larry Douglas  
**Cc:** Anthony Dart  
**Subject:** RE: VERY IMPORTANT PURCHASE ORDERS - NPG CABLE INC.  
**Importance:** High

Hi Tim,

Per conversation, please OK/APPROVE this email regarding all three POs. Provided in red are the correct pricing and the qty changed in order to meet the requirement. I have attached all POs for you copy as requested.

DCH6200 \$355.00

DCH200 \$235.00

DCH100 \$209.00

SEDONA

Delivery Schedule =

( DCH6200 51 units Oct., 51 units Nov. )

( DCH200 100 units Oct., 100 units Nov., 100 units Dec. )

( DCH100 50 Units Sept., 50 units Oct., 50 Units Nov., 50 Units Dec. )

KINGMAN

Delivery Schedule =

( DCH6200 102 units Oct., 99 units Nov. 99 units Dec. )

( DCH100 150 units Sept., 150 units Oct., 150 units Nov., 150 units Dec. )

ST JOSEPH

Delivery Schedule =

( DCH6200 51 units Sept., 51 units Oct., 48 units Nov. )

( DCH100 300 units Sept., 300 units Oct., 300 units Nov., 300 units Dec. )

Thanks,

JT

**Jennifer Tyrrel**  
Hardware Purchasing  
National West Accounts O-Z  
[jtyrrel@nctconline.org](mailto:jtyrrel@nctconline.org)  
P - 913-599-5900 ext 1561

F - 866-628-2473  
11200 Corporate Ave  
Lenexa, Kansas 66219  
[www.nctonline.org](http://www.nctonline.org)

**\*\*\*PLEASE NOTE THAT ALL VENDORS' PRICING IS SUBJECT TO CHANGE WITHOUT NOTICE\*\*\***

**---The price on orders shipped to the State of WA will be .05% higher to help cover the Co-op's cost of doing business within the state.**

REGISTER TODAY!  
"THE INDEPENDENT SHOW"  
MONTEREY, CA  
JULY 29 - AUGUST 1, 2007

REGISTRATION IS NOW OPEN!  
VISIT OUR WEBSITE OR CONTACT  
LISA MILLER AT [lmiller@nctonline.org](mailto:lmiller@nctonline.org)

---

**From:** Larry Douglas [mailto:ldouglas@npgco.com]  
**Sent:** Thursday, June 28, 2007 11:15 AM  
**To:** Jennifer Tyrrel  
**Subject:** FW: VERY IMPORTANT PURCHASE ORDERS - NPG CABLE INC.

**From:** L. Douglas [mailto:ldouglas@npgco.com]  
**Sent:** Thursday, June 28, 2007 10:06 AM  
**To:** 'jtytrel@nctonline.org'  
**Subject:** FW: VERY IMPORTANT PURCHASE ORDERS - NPG CABLE INC.

**From:** L. Douglas [mailto:ldouglas@npgco.com]  
**Sent:** Thursday, June 28, 2007 10:00 AM  
**To:** 'Anthony Dart'  
**Cc:** 'Bill Severn'; 'Larry Douglas'  
**Subject:** VERY IMPORTANT PURCHASE ORDERS - NPG CABLE INC.

Anthony:

Attached are 3 purchase orders that we need processed today. A description of delivery dates and quantities by month is listed in the comments section on each PO. Please activate these purchase orders with Motorola and send me a confirmation ASAP.  
Thanks!! Larry

Here is a breakdown of the comments shown on each purchase order.

SEDONA

Delivery Schedule =

( DCH6200 50 units Oct., 50 units Nov. )  
( DCH200 100 units Oct., 100 units Nov., 100 units Dec. )  
( DCH100 50 Units Sept., 50 units Oct., 50 Units Nov., 50 Units Dec. )

KINGMAN

Delivery Schedule =

( DCH6200 100 units Oct., 100 units Nov. 100 units Dec. )

( DCH100 150 units Sept., 150 units Oct., 150 units Nov., 150  
units Dec. )

ST JOSEPH

Delivery Schedule =

( DCH6200 50 units Sept., 50 units Oct., 50 units Nov. )

( DCH100 300 units Sept., 300 units Oct., 300 units Nov., 300  
units Dec. )